

Wetlands Bureau Decision Report

Decisions Taken
08/30/2004 to 09/03/2004

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2001-00002 GOLF CLUB OF NEW ENGLAND
GREENLAND Unnamed Wetland Marsh Brook & Winniconic Bk

Requested Action:

Approve name change request to: Softdraw Investments LLC d/b/a Golf Club of New England,
PO Box 424, Stratham NH 03885-0424 per request received 8/26/04.

Inspection Date: 04/06/1999 by Dori A Wiggin

Inspection Date: 04/30/2001 by Dori A Wiggin

APPROVE NAME CHANGE:

Temporarily impact 400 sq. ft. (100' x 4') for wetland crossing to install fire suppression line to service golf course club house and maintenance buildings, per materials received 6/3/02, as part of permit to dredge and fill a total of 451,512 sq. ft. (10.38 acres) of freshwater wetlands associated with the Winnicut River over a total of 22 locations to construct a PGA championship 18-hole golf course, club house, and associated facilities, and 10 home sites for a 275 member private golf club.

Approve as mitigation:

- a. 258.2 acres (including 99.1 acres of upland and 159.1 acres of wetland) of on-site Conservation Easement to be held by the Rockingham County Conservation District;
- b. 3.3 acres of wetlands enhancement by re-vegetation and restoration of historic fill areas;
- c. 1.35 acres of wetland creation (Creation Area 1 and Creation Area 8 only - Creation Areas 2-7 are constructed for the primary purpose of containing and treating golf tee run-off, and represent appropriate storm water best management practices, not compensatory mitigation.)
- d. 1.1 acres of planted upland buffers to enhance natural buffers damaged by livestock, or replace buffers removed during construction of the golf course.

Temporarily fill 11,395 sq. ft. of degraded wetlands woods road area to construct a temporary access wetland crossing, including Marsh Brook to reach a proposed well location, in order to perform a required pump test to satisfy DES groundwater withdrawal permit requirements.

With Conditions:

As per amended permit approval conditions dated 5/18/01.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2004-01010 NH DEPT OF TRANSPORTATION
LANCASTER Unnamed Wetland

Requested Action:

Request amendment to include an additional 150 linear feet of impact to a stream for removal of sediment resulting from a storm event on August 29 and 30.

Inspection Date: 05/28/2004 by Gino E Infascelli

APPROVE AMENDMENT:

AMENDMENT: Reconstruct and widen the roadway, add shoulders, extend a sidewalk, collect drainage in culverts, replace culverts and headers and clear 150 feet of stream channel impacting 10,318 sq. ft. of riverine and palustrine wetlands. NHDOT

project #13992.

With Conditions:

1. This permit (2004-1010) supercedes permit 2002-833.
2. All work shall be in accordance with plans by NHDOT Bureau of Highway Design, as received by the Department on May 20, 2004, as amended per plans received on June 23, 2004 and per amended request received on September 2, 2004.
3. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
4. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
5. Construction equipment shall not be located within surface waters.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
13. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
14. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
15. The impacts associated with the temporary work shall be restored immediately following construction.
16. An inground settling basin shall be installed prior to discharge near station 223+85 and shall be shown on the erosion control plans.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i), alteration of more than 200 linear ft. stream channel and banks.
2. The amended approval allows the removal of sediment from 150 linear feet of a small stream that will prevent damage to the adjacent property owners.

2004-01134 PSNH
BEDFORD Unnamed Wetland

Requested Action:

Dredge and fill 34,851 sq. ft. of palustrine wetlands to construct a PSNH substation to expand electricity reliability and delivery to the Bedford area.

Approve as mitigation execution of conservation easements on a) 1.61 acres on the PSNH property as depicted on plans dated 8/23/04 as received by DES 8/26/04; and b) the 10.65 acre Kundu property located on North Amherst Rd., Bedford, to be purchased by PSNH, and then transferred with the executed Conservation Easement to the town of Bedford.

Conservation Commission/Staff Comments:

Con. Com. recommended approval of original 59,486 sq. ft. proposal; approval is for revised proposal of 34,851 sq. ft.

Inspection Date: 07/07/2004 by Dori A Wiggin

Inspection Date: 08/24/2004 by Dori A Wiggin

APPROVE PERMIT:

Dredge and fill 34,851 sq. ft. of palustrine wetlands to construct a PSNH substation to expand electricity reliability and delivery to the Bedford area.

Approve as mitigation execution of conservation easements on a) 1.61 acres on the PSNH property as depicted on plans dated 8/23/04 as received by DES 8/26/04; and b) the 10.65 acre Kundu property located on North Amherst Rd., Bedford, to be purchased by PSNH, and then transferred with the executed Conservation Easement to the town of Bedford.

With Conditions:

1. All work shall be in accordance with plans by TF Moran, Inc. dated 8/23/04, as received by the Department on 8/26/04.
2. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The permittee shall adhere to the timing guidelines established by NH Fish and Game Department with respect to bald eagle protection as stated in NH Fish and Game's letter dated 8/4/04 to Mike O'Donnell of TF Moran, Inc., which limits construction to prior to December 15, and completed by June 15, 2004. The permittee shall further coordinate with NH Fish and Game on the limitations for upgrade of utility poles, and for any considerations NH Fish and Game may specify for the listed species the New England Cottontail.
7. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

Wetland preservation:

1. This permit is contingent upon the execution of a conservation easement on a) 1.61 acres on the PSNH property as depicted on plans received 8/26/04; and b) the 10.65 acre Kundu property located on North Amherst Rd., Bedford, to be purchased by PSNH, and then transferred with the executed Conservation Easement to the town of Bedford. The updated plan of the Kundu property depicting the ponds on the site shall be submitted to DES within 30 days of the notice of this decision.
2. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. Plans noting the conservation easements on both sites, along with copies of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. Copies of the recordings from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The applicant shall prepare a report summarizing existing conditions within both the conservation areas. Said report shall contain photographic documentation of the easement areas, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
5. The conservation easement areas shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction at the project property.

7. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
8. Activities in contravention of the conservation easements shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), alteration of more than 20,000 square feet of non-tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) , Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on 7/7/04. Field inspection determined that impacts proposed at that time could be reduced. The applicant has since reduced the proposed impact from the original 59,486 square feet proposed to the 34,851 square feet approved.
6. The public hearing is waived with the finding that the reduced project impacts are unavoidable at this location, and will not significantly impair the resources of this wetland ecosystem.
7. Construction of this substation will serve to increase electric power availability and reliability to the Bedford area, and thus the project is in the interest of the general public.
8. The mitigation proposed for this project, a total of 12.26 acres, more than 50% of which is upland, for 34,851 sq. ft. (.8 acre) of impact, exceeds the minimum mitigation requirements set forth in Chapter Wt 800.
9. Protection of the bald eagles, and other potential species of concern, has been conditioned in the permit in coordination with NH Fish and Game Department.
10. This project received the coordinated review of DES and the Army Corps.

MINOR IMPACT PROJECT

2001-00226 PD ASSOCIATES LLC REAL ESTATE CONSULTANTS
MANCHESTER Unnamed Wetland

Requested Action:

Amend wetlands impact total to include 1.26 square foot additional impact for installation of a foot bridge footing, increasing impact from 10,870 sq. ft. to 10,871.26.

Conservation Commission/Staff Comments:

Manchester Conservation Commission recommends approval of the application.

APPROVE AMENDMENT:

Dredge and fill an amended total of 10,871.26 sq. ft. of palustrine forested/ scrub-shrub wetlands to develop a 151-lot subdivision for affordable housing on a 40+/- acre parcel of land, including footing impact related to construction of a foot bridge for walking trail.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated December 14, 2000, amended July 14, 2004, as received by the Department on February 02, 2001, and with amendment request received by Department on July 28, 2004.
2. This permit is contingent on approval from DES Dam Safety Program.

3. This permit is contingent on approval by the DES Site Specific Program.
4. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Work shall be done during low flow.

MITIGATION:

1. The Wellington/Auburn Realty Group, LLC (owners) has agreed to provide the sum of \$10,000.00 to the Manchester Conservation Commission to retain a wetlands consultant to undertake the Manchester Wetlands Inventory/Evaluation Project.

With Findings:

1. This amendment represents minimal increase in square footage for construction of a structure which will avoid foot traffic damage to the wetland.

2003-01438 VERRES FINANCIAL CORPORATION
MANCHESTER Unnamed Wetland

Requested Action:

Amend permit to reflect reduced wetlands impact from 9,325 sq. ft. to 7,905 sq. ft following design changes to project.

APPROVE AMENDMENT:

Dredge and fill an amended total of 7,905 sq. ft. of palustrine forested/scrub-shrub wetlands to construct a roadway with culvert crossing and drainage structures to access 8 residential building lots.

With Conditions:

1. All work shall be in accordance with plans by Burd Engineering dated May 22, 2003, as revised on July 23, 2004, as received by the Department on July 07, 2003, with revisions received by the Department on July 28, 2004.
2. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.

With Findings:

1. This amendment request eliminates 1,972 sq. ft. of wetlands fill for lot development, and therefore represents further minimization of wetland impacts.

2003-02517 OLSEN FAMILY PARTNERSHIP LIMITED
GILFORD Lake Winnepesaukee

Requested Action:

Applicant requests amendment to widen canopy and re-align catwalk.

Conservation Commission/Staff Comments:

Con. Com. did not object to project.

APPROVE AMENDMENT:

Amend Permit to Read:

Repair an existing 45 linear ft breakwater with a (5) piling 1 ft x 30 ft catwalk, attached to an existing (6) piling 8 ft 9 in x 41 ft pier with a 9 ft x 13 ft walkway in-kind, install a 13 ft 6 in x 34 ft 4 in seasonal canopy, and drive (2) fender pilings and (1) 3-piling ice cluster on an average of 153 ft of frontage on Governor's Island, Lake Winnepesaukee.

With Conditions:

With Amended Conditions:

1. All work shall be in accordance with plans by RC Brown, Inc. revised August 31, 2004, as received by the Department on August 31, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. All removed material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
9. Existing rocks which have fallen shall be used for repair.
10. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(m), installation of new tie-off piles, ice clusters, or dolphins which do not, by their presence, add boatslips to an existing docking system.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The abutters offered a written statement approving of the project, and that the additional canopy length will not adversely affect their views.
6. The added canopy length will not adversely impact water quality.

2003-02676 ROYCE, JOHN & NANCY
DOVER Unnamed Wetland

Requested Action:

After-the-fact approval to retain 3,446 sq. ft. of fill placed in jurisdictional wetlands for residential lot development and construct 4,874 sq. ft. of forested wetlands as compensatory mitigation.

APPROVE PERMIT:

After-the-fact approval to retain 3,446 sq. ft. of fill placed in jurisdictional wetlands for residential lot development and construct 4,874 sq. ft. of forested wetlands as compensatory mitigation.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated 8/03, as received by the Department on May 07, 2004.
2. NH DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Work shall be done during low flow.

With Findings:

1. Proposed compensatory mitigation adequately compensates for the previous impacts, permitted after-the-fact, for residential lot development.

2004-00338

VIVIERS, NORRIS

MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Permanently remove an existing 432 sq ft 'U' shaped seasonal dock, and replace with (2) 6 ft x 25 ft seasonal piers, spaced 12 ft apart, connected to a 6 ft x 15 ft seasonal walkway with (2) 6 ft x 10 ft seasonal walkways, in a 'Y' configuration, install a 10 ft x 12 ft seasonal boatlift and a 12 ft x 25 ft seasonal canopy, and retain an existing seasonal jet ski lift on an average 151 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. had no objections to application.

Fish and Game has no concerns

APPROVE PERMIT:

Permanently remove an existing 432 sq ft 'U' shaped seasonal dock, and replace with (2) 6 ft x 25 ft seasonal piers, spaced 12 ft apart, connected to a 6 ft x 15 ft seasonal walkway with (2) 6 ft x 10 ft seasonal walkways, in a 'Y' configuration, install a 10 ft x 12 ft seasonal boatlift and a 12 ft x 25 ft seasonal canopy, and retain an existing seasonal jet ski lift on an average 151 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated August 18, 2004, revised August 26, 2004, as received by the Department on August 30, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. The existing 'U' shaped seasonal dock shall be permanently removed and placed outside of the jurisdiction of the DES Wetlands

Bureau.

6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
9. Seasonal structures, including docks, boatlifts and jet ski lifts, shall be removed from the lake for the non-boating season.
10. No portion of the pier shall extend more than 52 feet from the shoreline at full lake elevation.
11. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), installation of a 3-slip seasonal dock with seasonal lifts and a canopy.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 6, 2004. Field inspection determined that the original plans needed to be revised and an unpermitted jet ski lift exists on the frontage.

2004-01400 KELLAWAY, THOMAS & JILL REDMOND
GREENLAND Unnamed Wetland

Requested Action:

Dredge and fill a total of 7,729 sq. ft. of palustrine scrub-shrub and emergent wetlands including 175 linear feet of a seasonal stream to construct a wildlife pond in an area currently containing weedy, invasive vegetation.

Construct an elevated pedestrian boardwalk within an existing pedestrian easement to provide safe access to the Great Bay shoreline.

Conservation Commission/Staff Comments:

The Greenland Conservation Commission "...voted unanimously to endorse the project..." and made recommendations.

APPROVE PERMIT:

Dredge and fill a total of 7,729 sq. ft. of palustrine scrub-shrub and emergent wetlands including 175 linear feet of a seasonal stream to construct a wildlife pond in an area currently containing weedy, invasive vegetation.

Construct an elevated pedestrian boardwalk within an existing pedestrian easement to provide safe access to the Great Bay shoreline.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated 6/04, as received by the Department on June 24, 2004.
2. NH DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

7. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(c).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Rule Wt 304.04(a) is waived for the construction of the pedestrian boardwalk to provide safe access to the Great Bay shoreline.

2004-01423 NH DEPT OF TRANSPORTATION
CORNISH Greer Brook

Requested Action:

Dredge inlet and outlet at twin 7 ft. box culverts and place clean stone impacting a total of 1,750 sq. ft. (400 sq. ft. temporary).

Conservation Commission/Staff Comments:

8/19/04 requested confirmation on the location

APPROVE PERMIT:

Dredge inlet and outlet at twin 7 ft. box culverts and place clean stone impacting a total of 1,750 sq. ft. (400 sq. ft. temporary).

NHDOT project #99081R.

With Conditions:

1. All work shall be in accordance with plans and construction sequence by NHDOT Bureau of Bridge Maintenance dated 3/04, as received by the Department on June 28, 2004.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Construction equipment shall not be located within surface waters.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
8. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
9. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of impacts to channel and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2003-01133 GLENDALE YACHT CLUB
GILFORD Lake Winnepesaukee

Requested Action:

Amend permit to include a revised plan showing the dredging into geotubes instead of a sediment basin.

Conservation Commission/Staff Comments:

Con. Com. had no objections to project.

APPROVE AMENDMENT:

Maintenance dredge 830 cu yds of material from 17,100 sq ft of lakebed on an average of 246 ft of frontage on Smith Cove, Lake Winnepesaukee.

With Conditions:

With Amended Conditions:

1. All work shall be in accordance with plans and cross sections by Steven J. Smith & Associates, Inc. dated August 20, 2004, as received by the Department on August 30, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Dredged materials shall be discharged into a series of geotubes designed to trap all sediment.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Work shall be done during drawdown.
12. No dredging below elevation 499.32.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(k), maintenance dredge of an existing docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

2004-00737 WEIRS BLVD REALTY TRUST
LACONIA Unnamed Wetland

Requested Action:

Fill approximately 2,350 square feet within a man-made drainage ditch and adjacent forested wetlands to construct a parking lot and stormwater detention pond for a commercial development consisting of a convenience store, donut shop and vehicle fueling center.

Conservation Commission/Staff Comments:

In a report to the DES Wetlands Bureau dated May 19, 2004 the Laconia Conservation Commission indicated that it believed the applicant had not avoided and minimized wetlands impacts.

APPROVE PERMIT:

Fill approximately 2,350 square feet within a man-made drainage ditch and adjacent forested wetlands to construct a parking lot and stormwater detention pond for a commercial development consisting of a convenience store, donut shop and vehicle fueling center.

With Conditions:

1. All work shall be in accordance with plans (Sheets 1 - 9 of 9) by MHF Design Consultants, Inc. dated March 29, 2004 with various revision dates, as received by the Department on August 26, 2004.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. No work within the Department's jurisdiction shall take place on abutting Lot 17, Block 248 (Laconia Tax Map 162).
4. Work shall be conducted during low flow conditions.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minimum Impact Project, per Administrative Rule Wt 303.04(f), as the project involves alteration of less than 3,000 square feet in forested wetlands.
2. Based on information submitted in support of the application, the Department finds that the primary function served by the man-made ditch and adjacent forested wetlands is stormwater conveyance.
3. The Department finds that the project will improve stormwater conveyance by removing areas of accumulated sediment within the ditch and opening an existing 10-inch diameter culvert that is partially crushed and blocked with debris.
4. The applicant has received written consent from the owners of abutting Lot 16, Block 248 (Laconia Tax Map 162) and Lot 1, Block 241 (Laconia Tax Map 172) for work in the Department's jurisdiction within 20 feet of the property line, in accordance with Rule Wt 304.04(a).
5. The Department waives Rule Wt 304.04(a) with regard to abutting Lot 10, Block 72 (Laconia Tax Map 163), as the lot is located upslope of proposed project activities and is therefore not in jeopardy of flooding.
6. The Department waives Rule Wt 304.04(a) with regard to abutting Lot 17, Block 248 (Laconia Tax Map 162) based upon a drainage report prepared by MHF Design, as revised through June 16, 2004 and received by the department on August 27, 2004. The report concludes that the drainage structures proposed for the site will maintain historical runoff conditions at the property boundary with Lot 17 as well as relieve flooding conditions currently experienced during periods of high flows.

7. In a report to the DES Wetlands Bureau dated May 19, 2004 the Laconia Conservation Commission indicated that it believed the applicant had not avoided and minimized wetlands impacts. The department finds that impacts have been avoided, minimized and mitigated to the greatest extent possible.
8. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
10. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

2004-01041 EXETER SCHOOL DISTRICT/SAU 16
EXETER Unnamed Wetland

Requested Action:
Request name change to:

131 Court Street Realty, LLC
136 High Street
Exeter, NH 03833

APPROVE NAME CHANGE:
Approve name change to:

131 Court Street Realty, LLC
136 High Street
Exeter, NH 03833

Requested Action:
Dredge and fill a total of 650 sq. ft. of a man-made drainage ditch to provide points of access for the proposed redevelopment of this previously developed site.

APPROVE PERMIT:
Dredge and fill a total of 650 sq. ft. of a man-made drainage ditch to provide points of access for the proposed redevelopment of this previously developed site.

- With Conditions:
1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated (last revised) 5/07/04, as received by the Department on May 24, 2004.
 2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
 3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
 4. This permit is contingent on approval by the DES Site Specific Program, if required.
 5. Proper headwalls shall be constructed within seven days of culvert installation.
 6. Culvert outlets shall be properly rip rapped.
 7. NH DES Wetlands Bureau Coastal staff shall be notified in writing prior to commencement of work and upon its completion.

2004-01718 BIBEAU, DAVID
DALTON Unnamed Wetland

Requested Action:

Fill approximately 710 square feet of forested wetlands and retain approximately 1,300 square feet of previously unauthorized fill in forested wetlands to construct a driveway and install a 12-inch x 20-foot culvert to provide access to a single family building lot.

Conservation Commission/Staff Comments:

No comments received from the Dalton Conservation Commission.

APPROVE PERMIT:

Fill approximately 710 square feet of forested wetlands and retain approximately 1,300 square feet of previously unauthorized fill in forested wetlands to construct a driveway and install a 12-inch x 20-foot culvert to provide access to a single family building lot.

With Conditions:

1. All work shall be in accordance with the Driveway Application Wetland Delineation and Erosion Control Plan by Watershed to Wildlife, Inc. dated July 14, 2004 and revised August 30, 2004, as received by the Department on August 30, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be conducted during low flow conditions.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The project is categorized as a Minimum Impact Project, per Administrative Rule Wt 303.04(f), as the project involves less than 3,000 square feet of alteration in forested wetlands.
2. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2004-01850 WILSON, ADAM & NICOLE
HOPKINTON Unnamed Stream

COMPLETE NOTIFICATION:
Hopkinton Tax Map 239, Lot# 35

2004-01853 RED DAM CONSERVATORY, JAMES WEMYSS
LANCASTER Unnamed Stream

COMPLETE NOTIFICATION:

Lancaster Tax Map 25, Lot# 1

2004-01866 JOHNSEN, DOROTHY
STRAFFORD Unnamed Stream

COMPLETE NOTIFICATION:

Strafford Tax Map S16, Lot# 9

2004-01951 GIBBS, ERICH
SUGAR HILL Unnamed Stream

COMPLETE NOTIFICATION:

Sugar Hill Tax map 226, Lot# 4

2004-01952 CENTRAL WATER CO
BARNSTEAD Unnamed Stream

COMPLETE NOTIFICATION:

Barnstead Tax map 14, Lot# 8-1 & 9

2004-01953 BAYROOT LLC, C/O WAGNER FOREST MGMT
MILAN Unnamed Stream

COMPLETE NOTIFICATION:

Milan Tax Map 288, Lot# 33

2004-01954 GREEN ACRE WOODLANDS INC
GROTON Unnamed Stream

COMPLETE NOTIFICATION:

Groton Tax Map 9, Lot# 10

2004-01955 CHROSTOWSKI, LEONARD
FRANKLIN Unnamed Stream

COMPLETE NOTIFICATION:

Franklin Tax Map 146, Lot# 403

2004-01957 TUCKER, DONALD & SHARON
NEWMARKET Unnamed Stream

COMPLETE NOTIFICATION:

Newmarket Tax Map R7-4, Lot# 30

2004-01958 GIBSON, THERESA
MONROE Unnamed Stream

COMPLETE NOTIFICATION:
Monroe Tax map R2, Lot# 9

2004-02040 COLBURN, EDWARD
GREENFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Greenfield Tax Map R7, Lot# 19

EXPEDITED MINIMUM

2004-01464 SOUTHER JR, CLARENCE
SEABROOK Tbz

Requested Action:

Impact a total of 444 sq. ft. of developed upland tidal buffer zone to place gravel for maintenance of an existing driveway, remove an existing 8 ft. x 8 ft. shed, and construct a new 8 ft. x 10 ft. shed 3 ft. landward of existing shed.

APPROVE PERMIT:

Impact a total of 444 sq. ft. of developed upland tidal buffer zone to place gravel for maintenance of an existing driveway, remove an existing 8 ft. x 8 ft. shed, and construct a new 8 ft. x 10 ft. shed 3 ft. landward of existing shed.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
2. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
3. All work shall be in accordance with plans by Clarence Souther as received by the Department on June 30, 2004.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

2004-01672 SPAIN, ANDREW
CONCORD Contoocook River

Requested Action:

Install a 6 ft x 8 ft hinged floating seasonal dock with a 4 ft x 4 ft walkway accessing stairs down a steep bank on an average of 77 ft of frontage on the Contoocook River, Concord.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Install a 6 ft x 8 ft hinged floating seasonal dock with a 4 ft x 4 ft walkway accessing stairs down a steep bank on an average of 77

ft of frontage on the Contoocook River, Concord.

With Conditions:

1. All work shall be in accordance with plans by Andrew C. Spain revised August 29, 2004, as received by the Department on August 31, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Seasonal piers shall be removed for the non-boating season.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), installation of a seasonal floating dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-01712 CROWLEY, WAYNE
NORTHFIELD Drainage Ditch

Requested Action:

Dredge and fill approximately 50 square feet of forested wetland for the installation of a 18-inch by 20 foot culvert to access a single family residential lot on approximately 15.41 acres.

Conservation Commission/Staff Comments:

The Northfield Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 50 square feet of forested wetland for the installation of a 18-inch by 20 foot culvert to access a single family residential lot on approximately 15.41 acres.

With Conditions:

1. All work shall be in accordance with plans by Wayne Crowley, as received by the Department on August 31, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during no flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), Installation of a culvert, bridge, pole, or rock ford and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial, recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-01766 PAULDING, JOHN
SUTTON Unnamed Wetland

Requested Action:

Dredge and fill approximately 2,900 square feet of forested wetland for the installation of two (2) 12-inch by 30 foot culverts to access a single family residential lot on approximately 32.64 acres.

Conservation Commission/Staff Comments:

The Sutton Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 2,900 square feet of forested wetland for the installation of two (2) 12-inch by 30 foot culverts to access a single family residential lot on approximately 32.64 acres.

With Conditions:

1. All work shall be in accordance with plans by Todd Land Use Consultants dated July 20, 2004, as received by the Department on July 20, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during no flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-01769 PETERBOROUGH, TOWN OF
PETERBOROUGH Contookcook River

Requested Action:

Temporarily impact 495 square feet of river bank (including 8 linear feet of bank impact) to construct a dry hydrant on the Contookcook River for fire protection.

Conservation Commission/Staff Comments:

The Peterborough Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact 495 square feet of river bank (including 8 linear feet of bank impact) to construct a dry hydrant on the Contookcook River for fire protection.

With Conditions:

1. All work shall be in accordance with plans by Karl Berardi as received by the Department on July 29, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done in low water conditions.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and fish spawning areas shall be avoided.
6. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands, lined with hay bales or other acceptable sediment trapping liners, or set back as far as possible from wetlands and surface waters -- in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Machinery shall not be located within surface waters. All work must be conducted from the top of the bank.
10. Machinery shall be staged and refueled in upland areas.
11. All construction-related debris and dredged material not used to backfill the dry hydrant pipe trench shall be placed outside of the DES Wetlands Bureau jurisdiction.
12. Any portion of the bank disturbed as part of installation of the dry hydrant pipe shall be regraded to original contours, seeded and stabilized immediately following completion of work.
13. The dry hydrant pipe, intake structure and support platform shall be installed so as not to pose a navigational hazard.
14. 17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(w), Excavation of less than 10 linear feet within the bank and bed of a surface water for installation of a dry hydrant.
2. Public Safety!
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-01770 PETERBOROUGH, TOWN OF
PETERBOROUGH Cunningham Pond

Requested Action:

Temporarily impact 295 square feet of pond bank (including 8 linear feet of bank impact) to construct a dry hydrant on the Cunningham Pond for fire protection.

Conservation Commission/Staff Comments:

The Peterborough Conservation Commission signed the Minium Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact 295 square feet of pond bank (including 8 linear feet of bank impact) to construct a dry hydrant on the Cunningham Pond for fire protection.

With Conditions:

1. All work shall be in accordance with plans by Karl Berardi dated April 28, 2004 as received by the Department on July 29, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done in low water conditions.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and fish spawning areas shall be avoided.
6. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands, lined with hay bales or other acceptable sediment trapping liners, or set back as far as possible from wetlands and surface waters -- in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Machinery shall not be located within surface waters. All work must be conducted from the top of the bank.
10. Machinery shall be staged and refueled in upland areas.
11. All construction-related debris and dredged material not used to backfill the dry hydrant pipe trench shall be placed outside of the DES Wetlands Bureau jurisdiction.
12. Any portion of the bank disturbed as part of installation of the dry hydrant pipe shall be regraded to original contours, seeded and stabilized immediately following completion of work.
13. The dry hydrant pipe, intake structure and support platform shall be installed so as not to pose a navigational hazard.
14. 17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(w), Excavation of less than 10 linear feet within the bank and bed of a surface water for installation of a dry hydrant.
2. Public Safety!
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-01820 EASTMAN, COREY & R.
MIDDLETON Unnamed Wetland**

Requested Action:

Impact 1,020 square feet of forested wetland for the construction of an agricultural pond.

Conservation Commission/Staff Comments:

The Middleton Conservatino Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 1,020 square feet of forested wetland for the construction of an agricultural pond.

With Conditions:

1. All work shall be in accordance with the plans by S.Hoey date March 2004, as received by the Department on August 6, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during no flow conditions.
4. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(p) Construction of a pond with less than 20,000 sq.ft. of wetlands impact, provided none of the wetlands have type A hydric soil as defined in Env-Ws 1014.02, and that there are no streams into or out of the proposed pond site, and the project is not located in prime wetlands and does not meet the requirements of Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2004-02031 LEMISKA, WILLIAM
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath ConCom

2004-02032 LEMISKA, PETER
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath ConCom

TRAILS NOTIFICATION

2004-01984 TURBOCAM INC
BARRINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Barrington Tax Map 14, Lot# 64

LAKES-SEASONAL DOCK NOTIF

2004-02049 COLE, DONALD
WOLFEBORO Lake Wentworth

COMPLETE NOTIFICATION:
Wolfeboro Tax Map 195, Lot#5 Lake Wentworth

2004-02068 SHAW, BRADLEY & PAMELA
ALTON Rattlesnake Island

COMPLETE NOTIFICATION:
Alton Tax Map 79, Lot# 2 Lake Winipesaukee

SHORELAND VARIANCE / WAIV

2004-00223 HENRY, CHICK & SANDRA
LEBANON Mascoma Lake

ROADWAY MAINTENANCE NOTIF

2004-02059 NH DEPT OF TRANSPORTATION, DISTRICT ONE
GORHAM Unnamed Stream

2004-02060 BERLIN, CITY OF
BERLIN Unnamed Stream

2004-02062 NH DEPT OF TRANSPORTATION
FREEDOM Drainage Ditch

2004-02063 NH DEPT OF TRANSPORTATION
CHESTERFIELD Unnamed Stream

2004-02069 NH DEPT OF DOT, DISTRICT 2
LEMPSTER Unnamed Stream

PERMIT BY NOTIFICATION

2004-01832 BRIEN, MICHAEL
GILFORD Lake Winnepesaukee

Requested Action:

PBN#12, In-kind repair of 9-feet by 16 inches of existing retaining wall on Lake Winnepesaukee with approximately 300 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Gilfrod Conservation Commission did not sign the PBN.

PBN IS COMPLETE:

PBN#12, In-kind repair of 9-feet by 16 inches of existing retaining wall on Lake Winnepesaukee with approximately 300 feet of shoreline frontage.

2004-01852 THE NORWOOD GROUP
BEDFORD Bowman Pond

Requested Action:

PBN#3, Maintenance dredge approximately 19,900 square feet of Bowman Pond; PBN#4, In-kind repair of existing retaining wall and two (2) dam sluice gates; PBN#5, Construction of a temporary cofferdam.

Conservation Commission/Staff Comments:

The Bedford Conservation Commission did not sign the PBN.

PBN IS COMPLETE:

PBN#3, Maintenance dredge approximately 19,900 square feet of Bowman Pond; PBN#4, In-kind repair of existing retaining wall and two (2) dam sluice gates; PBN#5, Construction of a temporary cofferdam.

2004-01897 BURLING, PETER
SUNAPEE Lake Sunapee

Requested Action:

PBN#11, Impact approximately 320 square feet of shoreline for in-kind repair to top courses of boathouse cribs on Sunapee Lake with approximately 225 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Sunapee Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#11, Impact approximately 320 square feet of shoreline for in-kind repair to top courses of boathouse cribs on Sunapee Lake with approximately 225 feet of shoreline frontage.

2004-01947 CREIGHTON, WILLIAM & SHANNON
MERIDEN Unnamed Stream

Requested Action:

PBN#1, Dredge and fill approximately 460 square feet of forested wetland (including 46 linear feet of impact to an intermittent stream) for the installation of a 46-foot by 43 inch by 27 inch culvert to access a single family residential lot on approximately 5.7 acres

Conservation Commission/Staff Comments:

The Plainfield Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 460 square feet of forested wetland (including 46 linear feet of impact to an intermittent stream) for the installation of a 46-foot by 43 inch by 27 inch culvert to access a single family residential lot on approximately 5.7 acres

2004-01949 LAFLAMME, JESSE
MONROE Smith Brook

Requested Action:

PBN#1, Dredge and fill approximately 250 square feet of roadside drainage ditch for access to a single family residential lot on approximately 55.35 acres.

Conservation Commission/Staff Comments:

The Monroe Conservation Commission did not sign the PBN.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 250 square feet of roadside drainage ditch for access to a single family residential lot on approximately 55.35 acres.

2004-01950 MACK, JIM
WAKEFIELD Unnamed Stream

Requested Action:

PBN#1, Dredge and fill approximately 1,500 square feet of forested wetland (including 35 linear feet of intermittent stream) for the installation of a 36-inch by 35 foot culvert to access a single family residential lot.

Conservation Commission/Staff Comments:

The Wakefield Conservation Commission did not sign the PBN>

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 1,500 square feet of forested wetland (including 35 linear feet of intermittent stream) for the installation of a 36-inch by 35 foot culvert to access a single family residential lot.

2004-01959 SCHILLER, PETER
FREEDOM Drainage Swale

Requested Action:

PBN#2, Temporarily impact 690 square feet of roadside drainage ditch for the installation of four underground utility conduits.

Conservation Commission/Staff Comments:

The Freedom Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#2, Temporarily impact 690 square feet of roadside drainage ditch for the installation of four underground utility conduits.

2004-01960 JARVIS, MICHAEL & MARY
TUFTONBORO Unnamed Wetland

Requested Action:

PBN#1, Dredge and fill approximately 1,600 square feet of forested wetland for the installation of a 24-inch by 34 foot culvert to access a single family residential lot.

Conservation Commission/Staff Comments:

The Tuftonboro Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 1,600 square feet of forested wetland for the installation of a 24-inch by 34 foot culvert to access a single family residential lot.

2004-01983 PURVIS LIVING TRUST, DOROTHY
BARRINGTON Unnamed Wetland

Requested Action:

DES cannot permit subdivisions with the PBN process.

PBN DISQUALIFIED:

DES cannot permit subdivisions with the PBN process.

2004-01991 TOTEM PLOE PARK, LA & BE REALTY LLC
FREEDOM Ossipee Lake

Requested Action:

PBN#11, Impact approximately 1,425 square feet lake bottom for in-kind repair to boat-launch ramp on Ossipee Lake on approximately 808 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Freedom Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#11, Impact approximately 1,425 square feet lake bottom for in-kind repair to boat-launch ramp on Ossipee Lake on approximately 808 feet of shoreline frontage.

2004-02003 BUCKINGHAM, PAUL
WOLFEBORO Lake Winnepesaukee

Requested Action:

PBN#11, In-kind replacement of two (2) ice clusters on Lake Winnepesaukee with approximately 295 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Wolfeboro Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#11, In-kind replacement of two (2) ice clusters on Lake Winnepesaukee with approximately 295 feet of shoreline frontage.

2004-02004 RAND INVESTMENTS LLC
ASHLAND

Requested Action:

PBN#4, Impact approximately 80 square feet of bank for in-kind refacing of concrete footers on the Squam River with approximately 40 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Ashland Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#4, Impact approximately 80 square feet of bank for in-kind refacing of concrete footers on the Squam River with approximately 40 feet of shoreline frontage.

2004-02022 EMERALD LAKE VILLAGE DIST
HILLSBOROUGH Unnamed Stream

Requested Action:

PBN#4, Impact approximately 32 of river bed to repair an existing culvert.

Conservation Commission/Staff Comments:

The Hillsborough Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#4, Impact approximately 32 of river bed to repair an existing culvert.

2004-02041 LINDSTROM, CARL
MEREDITH Lake Winnepesaukee

Requested Action:

PBN#11, In-kind repair of existing docking structures on Penny Island.

Conservation Commission/Staff Comments:

The Meredith Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#11, In-kind repair of existing docking structures on Penny Island.

2004-02055 BURKE, ROBERT & CATHLEEN
ALTON BAY Merrymeeting River

Requested Action:

PBN#12, In-kind repair of existing retaining wall on Merrymeeting River.

Conservation Commission/Staff Comments:

The Alton Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#12, In-kind repair of existing retaining wall on Merrymeeting River.

2004-02058 FAIRMAN, RAYMOND AND MARY
ALTON Lake Winnepesaukee

Requested Action:

PBN#10, Install a seasonal personal watercraft lift and PBN# 12, In-kind repairs to an existing breakwater on Lake Winnepesaukee with approximately 157 linear feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Alton Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#10, Install a seasonal personal watercraft lift and PBN# 12, In-kind repairs to an existing breakwater on Lake Winnepesaukee with approximately 157 linear feet of shoreline frontage.

2004-02061 NH DEPT OF TRANSPORTATION
GILMANTON Drainage Ditch